

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark Kutney, AICP, Development Services Director/ (954) 797-1101  
Prepared by: Philip Bachers, Planner I

**SUBJECT:** TU 5-2-05 / 05-534; Harvest Fellowship/Holiday Charities; 6770 Stirling Road, Davie, Fl 33021

**AFFECTED DISTRICT:** District 1

**TITLE OF AGENDA ITEM:** Temporary Use Permit for an Outdoor Firework (Sparkler) Sale Fundraiser (Seasonal Sales)

**REPORT IN BRIEF:** The applicant (Harvest Fellowship/Holiday Charities) is requesting approval of a Temporary Use Permit for activities associated with selling of fireworks (sparklers) outdoors under a tent for the Fourth of July holiday. The Town of Davie Land Development Code Section 17-8, Seasonal Sales, defines the permitted period and the necessary facilities that need to be provided on site. The tent is located south of Stirling Road between N.W. 67<sup>th</sup> and 68<sup>th</sup> Avenue. Access onto and from the site is via Stirling Road, N.W. 67<sup>th</sup>, and 68<sup>th</sup> Avenue with parking in front of existing retail shops. For safety precautions, automobile traffic on site will be separated with barricades along the tent. In addition, the tent will also maintain building setbacks, have illuminated exit signs, no smoking signs, sand buckets, fire extinguishers, and water extinguishers. The petitioner has obtained approval in writing from the owner of the property to use the retail shop parking lot. A satisfactory site plan accurately depicting all details of the request has been reviewed by the Development Services Department and is attached.

**DURATION OF EVENT:** The duration and hours of the request is June 28, 2005 thru July 4, 2005 from 9:00 a.m. to 9:00 p.m.

Section 12-319 of the Land Development Code requires that three (3) criteria be met for temporary use permits:

- (1) Any nuisance or hazardous features involved is suitably separated from adjacent uses;
- (2) Excessive Vehicular traffic will not be generated on minor residential streets; and,
- (3) A vehicular parking problem will not be created.

Staff finds that Harvest Fellowship "Outdoor Firework (Sparkler) Sale" will be suitably separated from adjacent uses, there will be no excessive traffic generated on minor residential streets, and a vehicle-parking problem is not anticipated. In addition, the following conditions apply:

- (1) **Any temporary use authorized by Town Council shall be approved and accepted as to all terms and conditions by the applicant in writing within ten (10) days of the date such temporary use is authorized.** The applicant shall file such authorization with the Development Services Department.

- (2) A building permit must be secured prior to the event.
- (3) The permit shall be valid only for the time specific from June 28, 2005 thru July 4, 2005 from 9:00 a.m. to 9:00 p.m.
- (4) All concerns and comments as identified by reviewing agencies on the building permit must be addressed prior to the issuance of a Building permit.
- (5) Provide proper traffic control devices, such as barricades or cones, around the tents.
- (6) Compliance with the "Conditions for the Sale of Commodities (Tent/Canopies)" as provided by the Town of Davie Fire Marshal.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** The Development Review Committee members have reviewed the application and have no objections to the request.

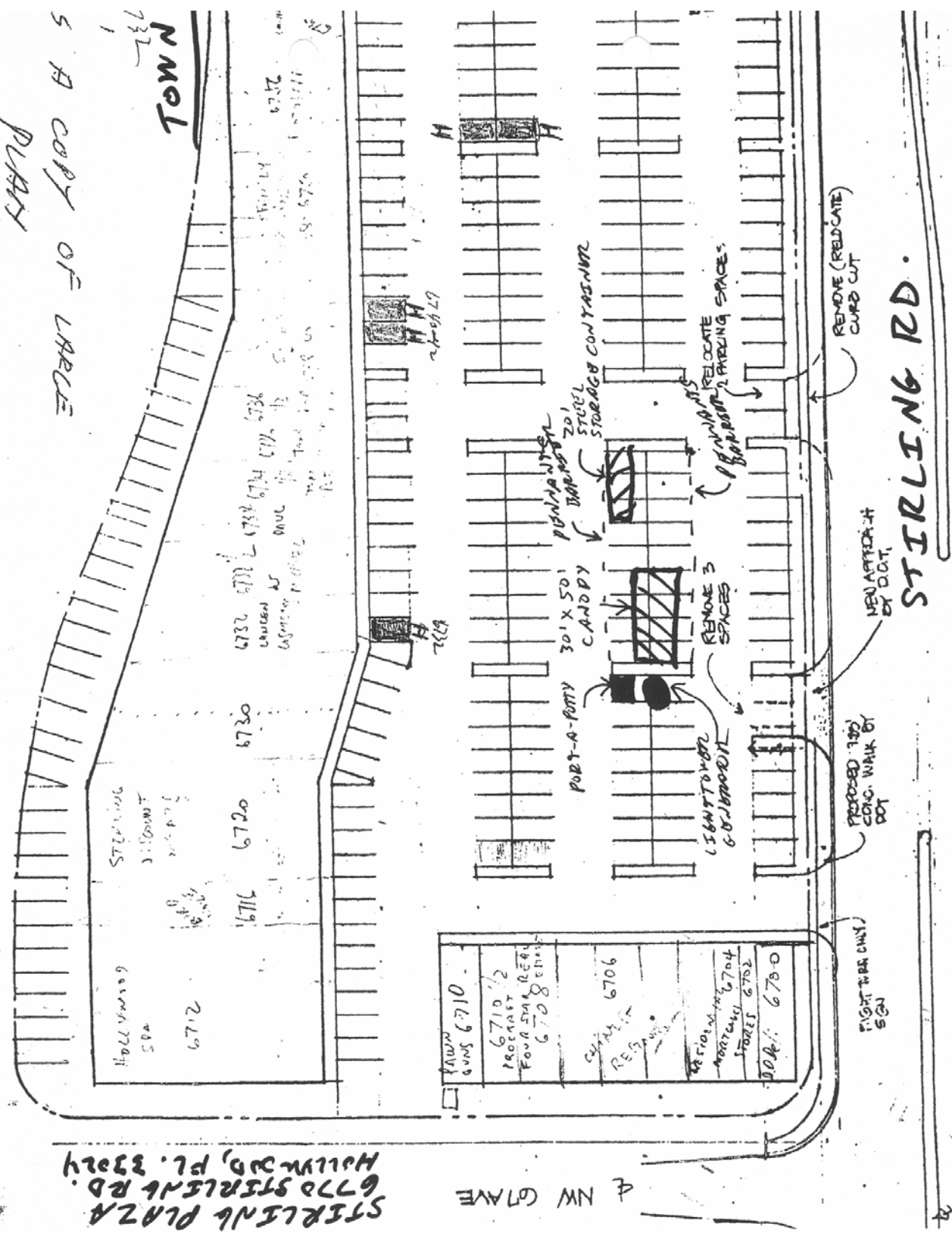
**FISCAL IMPACT:** None

**RECOMMENDATION(S):** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

**Attachment(s):** Subject site map, Site plan, Site location map

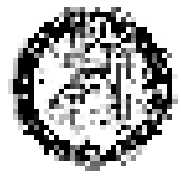
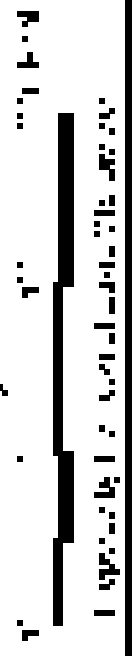
4 NW 67AVE

1  
732  
NMOL  
5 A COPY OF LARGE  
PLANT





Scale  
1" = 100'



# Temporary Use Permit TU 5-2-05 Zoning and Aerial Map

APPROVED  
CITY CLERK